

109TH CONGRESS
1ST SESSION

S. 279

AN ACT

To amend the Act of June 7, 1924, to provide for the
exercise of criminal jurisdiction.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INDIAN PUEBLO LAND ACT AMENDMENTS.**

4 The Act of June 7, 1924 (43 Stat. 636, chapter 331),
5 is amended by adding at the end the following:

1 **“SEC. 20. CRIMINAL JURISDICTION.**

2 “(a) IN GENERAL.—Except as otherwise provided by
3 Congress, jurisdiction over offenses committed anywhere
4 within the exterior boundaries of any grant from a prior
5 sovereign, as confirmed by Congress or the Court of Pri-
6 vate Land Claims to a Pueblo Indian tribe of New Mexico,
7 shall be as provided in this section.

8 “(b) JURISDICTION OF THE PUEBLO.—The Pueblo
9 has jurisdiction, as an act of the Pueblos’ inherent power
10 as an Indian tribe, over any offense committed by a mem-
11 ber of the Pueblo or an Indian as defined in title 25, sec-
12 tions 1301(2) and 1301(4), or by any other Indian-owned
13 entity.

14 “(c) JURISDICTION OF THE UNITED STATES.—The
15 United States has jurisdiction over any offense described
16 in chapter 53 of title 18, United States Code, committed
17 by or against an Indian as defined in title 25, sections
18 1301(2) and 1301(4) or any Indian-owned entity, or that
19 involves any Indian property or interest.

20 “(d) JURISDICTION OF THE STATE OF NEW MEX-
21 ICO.—The State of New Mexico shall have jurisdiction
22 over any offense committed by a person who is not a mem-
23 ber of a Pueblo or an Indian as defined in title 25, sections

- 1 1301(2) and 1301(4), which offense is not subject to the
- 2 jurisdiction of the United States.”.

Passed the Senate July 26, 2005.

Attest:

Secretary.

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